

Civil No. A075027

COURT OF APPEAL  
STATE OF CALIFORNIA  
FIRST APPELLATE DISTRICT

DIVISION FOUR

CHURCH OF SCIENTOLOGY	)	
INTERNATIONAL,	)	(Marin County Superior
	)	Court No. 157680)
Plaintiff-Respondent,	)	(Gary W. Thomas, Judge)
	)	
vs.	)	
	)	
GERALD ARMSTRONG,	)	
	)	
Defendant-Appellant.	)	
	)	
	)	

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APPLICATION OF ERIC M. LIEBERMAN  
TO APPEAR AS COUNSEL PRO HAC VICE

Kendrick L. Moxon  
Moxon & Bartilson  
550 N. Brand Blvd. Ste 700  
Glendale, CA 91203  
(818) 546-5064

Andrew H. Wilson  
Wilson Campilongo, LLP  
115 Sansome Street, Suite 400  
San Francisco, CA 94104  
(415) 391-3900

COMES NOW Plaintiff/Respondent Church of Scientology International,  
requesting an order of this Court granting the application of Eric M. Lieberman of  
Rabinowitz, Boudin, Standard, Krinsky & Lieberman to associate as counsel of record  
for said Respondent on this appeal.

Said application is based on the memorandum of points and authorities attached  
hereto and the declaration of Eric M. Lieberman.

DATED: October \_\_, 1997

Respectfully submitted,

MOXON & BARTLSON

By: 

Kendrick L. Moxon

- and -

Andrew H. Wilson  
Wilson Campilongo, LLP

Attorneys for Respondent

**MEMORANDUM OF POINTS AND AUTHORITIES****MR. LIEBERMAN IS ELIGIBLE TO APPEAR AS COUNSEL  
PRO HAC VICE PURSUANT TO CALIFORNIA RULE OF COURT 983**

California Rule of Court 983 provides that a person seeking to appear as counsel pro hac vice in a court of appeal shall make an application pursuant to California Rule of Court 41. The application must state (1) the applicant's residence and office address; (2) the courts to which he has been admitted to practice and date of the admissions; (3) that he is a member in good standing of each such court; (4) that he is not currently suspended or disbarred in any court; (5) the title of each court and cause in which he has filed an application to appear as counsel pro hac vice in California in the preceding two years, the date of each application and whether or not it was granted; and (6) the name, address and telephone number of the member of the State Bar of California who is attorney of record. The Declaration of Eric M. Lieberman attached hereto satisfies each of these requirements. Mr. Lieberman is a member in good standing in each court to which he is admitted and is not currently suspended or disbarred in any court.

Therefore, Mr. Lieberman's application should be granted and the Court should issue the order allowing him to appear pro hac vice in this matter.

DATED: October 19, 1997

Respectfully submitted,

By: 

Kendrick L. Moxon  
MOXON & BARTILSON

**DECLARATION OF ERIC M. LIEBERMAN  
IN SUPPORT OF APPLICATION TO APPEAR PRO HAC VICE**

I, ERIC M. LIEBERMAN, declare:

1. I reside at 280 Riverside Drive in the City of New York, State of New York. I am an attorney in the law firm of Rabinowitz, Boudin, Standard, Krinsky & Lieberman, P.C. My law office address is 740 Broadway, New York, New York 10003.

2. I am an attorney in good standing duly admitted to practice in the following courts: The United States District Court for the Southern District of New York, since 1974; the Supreme Court of the State of New York, First Department, since 1974; the Supreme Judicial Court of the State of Massachusetts, since 1971; the United States Court of Appeals, including the Second Circuit (since 1973) and the Ninth Circuit (since 1985); and the Supreme Court of the United States, since 1974. I currently am not and never have been under suspension nor been subject to any disciplinary actions.

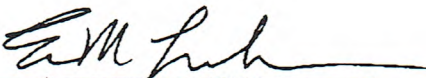
3. In the preceding two years, I have filed not made any applications to appear as counsel *pro hac vice* in the State of California. In September, 1994 I did apply and was granted permission to appear *pro hac vice* in the California Court of Appeal, Second Appellate District, in an earlier appeal taken by Gerald Armstrong in this case.

4. If admitted in this action, I will appear in association with California attorneys, Kendrick L. Moxon, Moxon & Bartilson, whose address is 550 N. Brand Boulevard, Suite 700, Glendale, California 91203 (telephone number (818) 546-5064); and Andrew H. Wilson, of the law firm of Wilson Campilongo, LLP, whose address is 115 Sansome Street, Suite 400,

San Francisco, California 94104 (telephone number: (415) 391-3900).

I declare under penalty of perjury under the laws of California and New York that the foregoing is true and correct.

Executed on October 9 1997 at Los Angeles, California

  
Eric M. Lieberman

PROOF OF SERVICE

STATE OF CALIFORNIA        )  
  )  ss.  
COUNTY OF LOS ANGELES    )

I am employed in the County of California, State of California. I am over the age of eighteen (18) years and not a party to the within action.

On October 20, 1997, I served the foregoing document described as APPLICATION OF ERIC M. LIEBERMAN TO APPEAR AS COUNSEL PRO HAC VICE on interested parties in this action, by placing the true copies thereof in sealed envelopes as follows:

Gerald Armstrong  
c/o George W. Abbott  
2245-B Meridian Blvd.  
PO Box 98  
Minden, NV 89423-0098

Supreme Court of the State of California  
303 2<sup>nd</sup> Street  
South Tower, 8<sup>th</sup> Floor  
San Francisco, CA 94107-1317

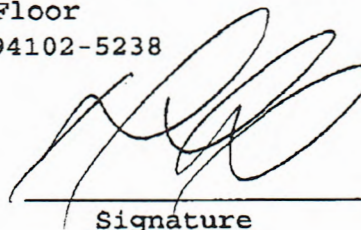
Clerk, Marin Superior Court  
Hall of Justice  
Marin Civic Center  
San Rafael, CA 94903

State Bar of California    [Fee included]  
100 Van Ness, 28<sup>th</sup> Floor  
San Francisco, CA 94102-5238

Executed on October 20, 1997.

KENORIC AUSTON

Print or Type Name

  
\_\_\_\_\_  
Signature